

**IOWA BOARD OF MEDICINE  
REGULARLY SCHEDULED MEETING  
APRIL 13-14, 2017**

**A G E N D A**<sup>1, 2, 3, 4, 5</sup>

**BOARD MEMBERS:** Diane Clark, Chair; Ronald Cheney, D.O., Vice Chair; Kyle Ulveling, M.D., Secretary; Diane Cortese; Nicole Gilg Gachiani, M.D.; Ronald Kolegraff, M.D.; KellyAnn Light-McGroary, M.D.; Mary Jo Romanco; Hamed Tewfik, M.D.; Charles Wadle, D.O.

**THURSDAY, APRIL 13, 2017**

7:30 a.m.                    **EXECUTIVE COMMITTEE – Medical Conference Room B**  
Chair Clark, Cheney, Cortese, Tewfik, Ulveling

8:00 a.m.                    **SCREENING COMMITTEE – Board Room**  
Chair Wadle, Gilg Gachiani, Kolegraff, Light-McGroary, Romanco

9:00 a.m.                    **MONITORING COMMITTEE – Board Room**  
Chair Cheney, Cortese, Gilg Gachiani, Kolegraff, Wadle

9:00 a.m.                    **LICENSURE COMMITTEE - Medical Conference Room B**  
Chair Tewfik, Clark, Light-McGroary, Romanco, Ulveling

**BOARD – OPEN SESSION - Board Room**  
Chair Clark, Cheney, Cortese, Gilg Gachiani, Kolegraff, Light-McGroary, Romanco,  
Tewfik, Ulveling, Wadle

- A. Chair will call the meeting to order, and ask the executive director for a roll call of Board members to establish a quorum . The chair will acknowledge the absence of any member.**
- B. Chair will call for a motion & second to meet in Closed Session pursuant to Iowa Code section 21.5(1) “a,” “d,” “f” and “I” for the purposes of reviewing investigative reports and other investigative material, discussing whether to initiate licensee disciplinary investigations or proceedings, and for personnel evaluation. Roll call vote required. Those in favor say “aye,” and those opposed say “no.” Two-thirds of the members present must approve the motion.**

**BOARD – CLOSED SESSION - Board Room**

Chair Clark, Cheney, Cortese, Gilg Gachiani, Kolegraff, Light-McGroary, Romanco, Tewfik, Ulveling, Wadle

**A. Iowa Physician Health Committee's Reports of Non-compliance**

**1. Notices of non-compliance**

**B. Committee Reports**

- 1. Screening**
- 2. Monitoring**
- 3. Licensure**

**C. Review of Closed Minutes**

- 1. December 15-16, 2016, meeting**
- 2. January 19, 2017, teleconference**
- 3. February 16-17, 2017, meeting**
- 4. March 9, 2017 - teleconference**

**LUNCH BREAK**

**BOARD – CLOSED SESSION - Board Room**

Chair Clark, Cheney, Cortese, Gilg Gachiani, Kolegraff, Light-McGroary, Romanco, Tewfik, Ulveling, Wadle

**BOARD – OPEN SESSION - Board Room**

Chair Clark, Cheney, Cortese, Gilg Gachiani, Kolegraff, Light-McGroary, Romanco, Tewfik, Ulveling, Wadle

**A. Unlicensed Practice of Medicine Cases**

**B. Vote on Closed Session Cases**

**BOARD - ADJOURN**

Chair Clark, Cheney, Cortese, Gilg Gachiani, Kolegraff, Light-McGroary, Romanco, Tewfik, Ulveling, Wadle

**A. BOARD MUST BE IN OPEN SESSION for the Chair to call for a motion & second to adjourn the meeting and to meet at 8 a.m. Friday, April 14, 2017. Voice vote required. Those in favor say “aye,” and those opposed say “no.” A simple majority approves the motion.**

## **FRIDAY, APRIL 14, 2017**

8:00 a.m.

### **BOARD – OPEN SESSION - Board Room**

Chair Clark, Cheney, Cortese, Gilg Gachiani, Kolegraff, Light-McGroary, Romanco, Tewfik, Ulveling, Wadle

**A. Chair will call for a motion & second to meet in Closed Session pursuant to Iowa Code section 21.5(1) “a,” “d,” and “f” for the purposes of reviewing investigative reports and other investigative material and discussing whether to initiate licensee disciplinary investigations or proceedings. Roll call vote required. Those in favor say “aye,” and those opposed say “no.” Two-thirds of the members present must approve the motion.**

### **BOARD – CLOSED SESSION – Board Room**

Chair Clark, Cheney, Cortese, Gilg Gachiani, Kolegraff, Light-McGroary, Romanco, Tewfik, Ulveling, Wadle

### **BOARD – OPEN SESSION - Board Room**

Chair Clark, Cheney, Cortese, Gilg Gachiani, Kolegraff, Light-McGroary, Romanco, Tewfik, Ulveling, Wadle

#### **A. Vote on closed session cases**

9:00 a.m.

### **BOARD – OPEN SESSION – Board Room**

Chair Clark, Cheney, Cortese, Gilg Gachiani, Kolegraff, Light-McGroary, Romanco, Tewfik, Ulveling, Wadle

**A. Chair will call the meeting to order, and ask the executive director for a roll call of Board members to establish a quorum. The chair will acknowledge the absence of any member.**

#### **B. Introductions of Public Present**

#### **C. Opportunity for Public Comments<sup>5</sup>**

*(Public can make comments now or when specific agenda items are addressed.)*

#### **D. Board Minutes for Consideration of Approval**

1. December 15-16, 2016, meeting - Open and Closed
2. January 19, 2017, teleconference - Open and Closed
3. February 16-17, 2017, meeting - Open and Closed
4. March 9, 2017, teleconference - Open and Closed

#### **E. Chair’s Report**

#### **F. Executive Director’s Report**

**G. Report on subcommittee working with a similar subcommittee of the Board of Psychology to write joint rules to implement legislation authorizing certain psychologists to prescribe psychotropic medicines - Charles Wadle, D.O., chair**

#### **H. Administrative rules**

**I. 2017 legislation**

1. HF532 - PMP registration
2. HF577 - lyme disease treatment
3. HF591 - supervision of physician assistants.
4. HF600 - licensure of genetic counselors
5. SF1 - job impact study on proposed administrative rules
6. SF250 - mandatory letter on dense breast tissue
7. SF465 - medical liability reform
8. SF471 - 3-day wait period, 20-week ban for abortions

**J. Office of Ombudsman - A System Unaccountable: A Special Report on Iowa's Professional Licensing Boards**

**K. Interstate Medical Licensure Compact**

**L. Judicial Review update - Julie Bussanmas, Assistant Attorney General**

1. Rabi v. BOM (Iowa Supreme Court) – Rabi filed a notice of appeal challenging the District Court decision affirming the Board's disciplinary order. Rabi's filed his brief on January 12, 2017. The Board filed its brief in March. Dr. Rabi has now filed his reply brief. Awaiting a decision on whether the supreme court will retain the case and whether oral argument will be granted.

**M. Federation of State Medical Boards**

1. FSMB annual meeting April 20-22, 2017, Fort Worth
2. Resolution 1-17 - mandatory use of PMPs
3. Resolution 2-17 - licensure of EMS providers
4. Resolution 3-17 - standards of ACGME
5. Report on electronic medical records
6. Report on physician compounding
7. Report on team-based regulation
8. Report on use of opioids on chronic pain management
9. Bylaw amendments
10. Nominating Committee

**N. Iowa Physician Health Committee/Program Update - Amy Van Maanen, Program Coordinator**

1. Year to date statistics

**O. Correspondence, reports & articles**

1. *Shortage of Genetic Counselors in Face of Growing Need*, Medscape Medical News, March 13, 2017.
2. *Stronger malpractice laws may not prevent surgical complications*, Reuters, January 27, 2017.
3. *The Upside of Surprise Joint Commission Surveys*, JAMA, March 20, 2017
4. *WHO puts medication errors on global hit list*, FierceHealthCare.com, April 3, 2017

## **O. Committee Reports**

1. Licensure
  - a. Request for waiver of licensure requirement, Tamer Abdelrhman, M.D.
2. Monitoring
3. Screening

## **P. 2017-18 Board organization**

1. Election of officers - Chair, Vice Chair, Secretary
2. 2018 meeting schedule
3. Recognition of Board members completing their terms

## **BOARD – CLOSED SESSION - Board Room**

Chair Clark, Cheney, Cortese, Gilg Gachiani, Kolegraff, Light-McGroary, Romanco, Tewfik, Ulveling, Wadle

**A. Chair will call for a motion & second to meet in Closed Session pursuant to Iowa Code section 21.5(1) “a,” “d,” and “f” for the purposes of reviewing investigative reports and other investigative material and discussing whether to initiate licensee disciplinary investigations or proceedings. Roll call vote required. Those in favor say “aye,” and those opposed say “no.” Two-thirds of the members present must approve the motion.**

**B. Chair will call for a motion & second to meet in open session. Voice vote required. Those in favor say “aye,” and those opposed say “no.” A simple majority approves the motion.**

## **LUNCH BREAK**

## **BOARD – CLOSED SESSION – Board Room**

Chair Clark, Cheney, Cortese, Gilg Gachiani, Kolegraff, Light-McGroary, Romanco, Tewfik, Ulveling, Wadle

**A. Chair will call for a motion & second to meet in Closed Session pursuant to Iowa Code section 21.5(1) “a,” “d,” and “f” for the purposes of reviewing investigative reports and other investigative material and discussing whether to initiate licensee disciplinary investigations or proceedings. Roll call vote required. Those in favor say “aye,” and those opposed say “no.” Two-thirds of the members present must approve the motion.**

**B. Chair will call for a motion & second to meet in open session. Voice vote required. Those in favor say “aye,” and those opposed say “no.” A simple majority approves the motion.**

## **BOARD – OPEN SESSION - Board Room**

Chair Clark, Cheney, Cortese, Gilg Gachiani, Kolegraff, Light-McGroary, Romanco, Tewfik, Ulveling, Wadle

## A. Vote on Closed Session Cases

### **BOARD ADJOURN**

**BOARD MUST BE IN OPEN SESSION** for the Chair to call for a motion & second to adjourn the meeting of the Board of Medicine. Voice vote required. Those in favor say “aye,” and those opposed say “no.” A simple majority approves the motion.

*(1) The confidential matters listed on the agenda may concern medical records on the condition, diagnosis, care or treatment of a patient or investigation reports and other investigative information which are privileged and confidential under the provisions of Sections 22.7(2) and 272C.6(4), of the 2015 Code of Iowa. These matters constitute a sufficient basis for the Board to consider a closed session under the provisions of Section 21.5(1)(a), (c), (d), (f) and (g) of the 2015 Code of Iowa. These sections provide that a governmental body may hold a closed session only by affirmative public vote of either two-thirds of the members of the body if all present, or all of the members present if not all members are present at the meeting to review or discuss records which are required or authorized by state or federal law to be kept confidential, to discuss whether to initiate licensee disciplinary investigations or proceedings and to discuss the decision to be rendered in a contested case conducted according to the provisions of Chapter 17A.*

*(2) Hearings may be closed at the discretion of the licensee, according to Section 272C.6(1) of the Code of Iowa 2015.*

*(3) Public agenda materials are available via e-mail. Contact: [ibm@iowa.gov](mailto:ibm@iowa.gov)*

*(4) The Board may address agenda items out of sequence to accommodate persons appearing before the Board or to aid in the efficiency or effectiveness of the meeting.*

*(5) At this time, members of the audience may address the Board for a period not to exceed 5 minutes. The Board reserves the right to reduce this time based on the number wishing to speak. If a member of the public wishes to address the Board with the intention of getting a Board decision at the meeting, the individual should request permission to be on the Board agenda. Written requests are due in the Board office at least 14 days in advance of the meeting.*

#### **The next scheduled Board meeting is:**

- **June 1-2**

#### **The Board's office closing for the remainder of 2017:**

- |                                    |                                |
|------------------------------------|--------------------------------|
| • <b>Memorial Day</b>              | <b>Monday, May 29</b>          |
| • <b>Independence Day</b>          | <b>Tuesday, July 4</b>         |
| • <b>Labor Day</b>                 | <b>Monday, September 4</b>     |
| • <b>Veterans Day</b>              | <b>Friday, November 10</b>     |
| • <b>Thanksgiving Day</b>          | <b>Thursday, November 23</b>   |
| • <b>Friday after Thanksgiving</b> | <b>Friday, November 24</b>     |
| • <b>Christmas Day</b>             | <b>Monday, December 25</b>     |
| • <b>New Year's Day 2018</b>       | <b>Monday, January 1, 2018</b> |

*If you require the assistance of auxiliary aids or services to participate in/or attend the meeting because of a disability, please call our ADA Coordinator at (515) 281-5604. If you are hearing impaired, call Relay IA TTY at 1-800-735-2942.*